UNITED STATES PATENT AND TRADEMARK OFFICE

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10/511,773	10/19/2004	Chandrasekar Rathakrishnan	ALBAN16.001APC	6768

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EXAMINER
JAKOVAC, RYAN J

ART UNIT	PAPER NUMBER
2145	

NOTIFICATION DATE	DELIVERY MODE
08/07/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>05 June 2008</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>5,21,38-43,46-49 and 51</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>5, 21, 38-43, 46-49, and 51</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
>
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
>
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
>
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
>
> manner in which the invention was made.

2.   Claims 5, 21, 38-43, 46-49, and 51 are rejected under 35 U.S.C. 103(a) as being

unpatentable over U.S. 2002/0032751 to Bharadwaj in view of U.S. 6,966,034 to Narin.

        Regarding claims 5 and 51, Bharadwaj teaches a system and a computer readable

medium comprising a server configured to download data with constant compression rates to a

user's machine to enable an HTML media file to be displayed with real-time streaming on a

display device of the user's machine, the HTML media file being converted by the server from a

media format to a universal media format agreed between the server and the user's machine

(Bharadwaj , at least Paragraph [0061] and [00112] disclose the client receiving a HTML media

file. The client is linked to the server which is connected to the web. Paragraph [0168-0169],

[0828], and [00835] discloses streaming media to the client and setting of compression rates. See

also, [0012], client requests. See also [0021-0023], and [0112], client and server negotiate

format.). Although Bharadwaj does disclose in [0112] client capability negotiation relating to a large number of display and input features, these features including whether the system supports color displays, input features like speech, font capabilities, image formats, multimedia support, etc, Bharadwaj does not expressly disclose wherein the server receives the resolution requirement of the display device, and wherein the server includes an HTML resizing server for resizing the HTML media file to be able to be fully displayed on the display device according to the received resolution requirement before sending the HTML media file to the user's machine, however, Narin discloses wherein the server receives the resolution requirement of the display device (Narin, col. 6, line 55 to col. 7 line 25, device resolution is sent to the server.), and wherein the server includes an HTML resizing server for resizing the HTML media file to be able to be fully displayed on the display device according to the received resolution requirement before sending the HTML media file to the user's machine (Narin, col. 10, line 50 to col. 11, line 45, server modifies the requested web page based on the received resolution of the device.).

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to combine wherein the server receives the resolution requirement of the display device, and wherein the server includes an HTML resizing server for resizing the HTML media file to be able to be fully displayed on the display device according to the received resolution requirement before sending the HTML media file to the user's machine as taught by Narin with the system of Bharadwaj in order to be able to dynamically vary web pages provided to users based on the characteristics of a user's system (Narin, col. 10, line 1-45.)

Regarding claim 21, the combination of Bharadwaj and Narin teaches a system as

claimed in claim 5, wherein passing of the HTML file and amendment on the server of code for

the HTML file to enable the HTML media file to be displayed on the display device (Bharadwaj,

Paragraph [0002] discloses web browsing (i.e. accessing HTML files). Paragraph [0092]

discloses displaying streaming media on the client device.).

Regarding claim 38, the combination of Bharadwaj and Narin teaches a system as

claimed in claim 5, wherein the resizing is by adding width and height tags to any object in the

file that does not have those tags, and amending the values in the width and height tags so they

can be displayed on the display device in accordance with the received resolution requirement of

the display device (Bharadwaj, Paragraph [0656] discloses resizing objects according to width

and height.).

Regarding claim 39, the combination of Bharadwaj and Narin teaches a system as

claimed in claim 38, wherein the width tag value is divided by 800 and multiplied by a width of

the received resolution (Bharadwaj, Paragraph [0656] discloses resizing objects according to

width and height.).

Regarding claim 40, the combination of Bharadwaj and Narin teaches a system as

claimed in claim 38 or claim 39, wherein the height tag value is divided by 600 and multiplied

by a height of the received resolution (Bharadwaj, Paragraph [0656] discloses resizing objects

according to width and height.).

Regarding claim 41, the combination of Bharadwaj and Narin teaches a system as

claimed in claim 5, wherein the universal media format is pre-determined (Bharadwaj, Paragraph

[0092] discloses displaying streaming media on the client device.).

Regarding claim 42, the combination of Bharadwaj and Narin teaches a system as

claimed in claim 41, wherein the universal media format is a streaming format and has constant

compression rates (Bharadwaj, Paragraph [0092] discloses displaying streaming media on the

client device.).

Regarding claim 43, the combination of Bharadwaj and Narin teaches a system as

claimed in claim 41, wherein the conversion to the universal media format is by first decoding

and decompression of the HTML media file to raw data (Bharadwaj, Paragraph [0828], The

MPEG-4 application running on the server is configured to decode and present (for display on

the user's device) streaming data.).

Regarding claim 46, the combination of Bharadwaj and Narin teaches a system as

claimed in claim 5, wherein a plurality of applications are executed on the server, all applications

being executed on the server under a single operating system such that the data is streamed to the

display device without the plurality of applications starting their native operating systems

(Bharadwaj, Paragraph [0005] discloses multiple applications running on a server machine and

displaying the applications on a client device.).

Regarding claim 47, the combination of Bharadwaj and Narin teaches a system as claimed in claim 5, wherein the universal media format is pre-determined (Paragraph [0092] discloses displaying streaming media on the client device.).

Regarding claim 48, the combination of Bharadwaj and Narin teaches a system as claimed in claim 5, wherein the universal media format is a streaming format and has constant compression rates (Bharadwaj, Paragraph [0092] discloses displaying streaming media on the client device. Paragraph [0168-0169], [0828], and [00835] discloses streaming media to the client and setting of compression rates).

Regarding claim 49, the combination of Bharadwaj and Narin teaches a system as claimed in claim 47, wherein the conversion to the universal media format is by first decoding and decompression of the HTML media file to raw data (Bharadwaj, Paragraph [0828], The MPEG-4 application running on the server is configured to decode and present (for display on the user's device) streaming data.).

Response to Arguments

3.   Applicant's arguments with respect to claims 1-59 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to RYAN J. JAKOVAC whose telephone number is (571)270-5003.

The examiner can normally be reached on Monday through Friday, 7:30 am to 5:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jason D. Cardone can be reached on (571) 272-3933. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RJ

/Jason D Cardone/
Supervisory Patent Examiner, Art Unit 2145